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RESPONSE TO STATUS: Mail Abandonment for Failure to Respond to Office Action

DEAR EXAMINER, BELOW IS A COPY OF MY FIRST FAX RESPONSE TO MY APPLICATION.  
TO DAY I CHECK THE STATUS ON EPS, AND IT LOOK LIKE NO INFORMATION HAS ARRIVE TO YOUR DESK, IN  
RESPONSE TO YOUR QUESTIONS.

THANKS SO MUCH FOR YOUR HELP AND UNDERSTANDING, HERE I RESENDING THE INFORMATION AGAIN  
FOR YOUR CONSIDERATION. THE SAME I SEND TO FAX 571.273.8300

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#### Bibliographic Data

Application Number:	10/605,894	Customer Number:	-
Filing or 371 (c) Date:	11-04-2003	Status:	Non Final Action Mailed
Application Type:	Utility	Status Date:	02-27-2009
Examiner Name:	BROWN, ALVIN L	Location:	ELECTRONIC
Group Art Unit:	3622	Location Date:	-
Confirmation Number:	2893	Earliest Publication No:	US 2004-0133469 A1
Attorney Docket Number:	-	Earliest Publication Date:	07-08-2004
Class / Subclass:	705/014	Patent Number:	-
First Named Inventor:	Dario Chang, Miami, FL (US)	Issue Date of Patent:	-

#### CLASS

Practical Application. To be patent eligible, claims including limitation(s) that set forth subject matter excluded by a judicial exception must be for a practical application, e.g. of an abstract idea, law of nature, or natural phenomenon. A practical application results, for example, if the claimed invention "transforms" an article or physical object to a different state or thing; or if the claimed invention produces a useful, concrete and tangible result.

#### Produce a Useful, Concrete, and Tangible Result

##### Physical Transformation

- Transformation of data is not "physical transformation," nor are physical acts necessarily a "physical transformation."
- Example: manufacturing a tire by curing rubber.

[http://www.uspto.gov/web/offices/pac/compexam/interim\\_guide\\_subj\\_matter\\_eligibility.html](http://www.uspto.gov/web/offices/pac/compexam/interim_guide_subj_matter_eligibility.html)

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Physical transformation is an indication that the claim is statutory because such a transformation itself is a useful, tangible and concrete result

However, data transformation is not a physical transformation. Data, by definition, is intangible, so the claim must go further to have a tangible result. Thus, manipulation of data in a computer is not, in and of itself, sufficient for establishing that a claim is statutory. Likewise, a physical act is not necessarily a physical transformation. A physical act may, however, provide a useful, concrete and tangible result to establish patent-eligible subject matter.

A complete disclosure contain some indication of why the claimed invention is useful. AS IT INFLUENCE A POSITION FOR CLIENTS ACCOUNTS IN THE NETWORK, PRODUCING A USEFUL AND SPECIFIC RESULT FOR PRICING, POSITION AND GIVE MATH VALUES TO CLIENTS ACCOUNT IN THE NETWORK. - A claim directed to estimating, predicting or approximating something does not necessarily lack concreteness.

However, the mere fact that the result is an estimate, prediction or other approximation that may not ultimately be found to be accurate is not a determinative factor for concreteness. Thus, an assured result refers to repeatability and ability to **achieve a result** rather than ultimate accuracy of the result.

#### Tangible

the tangible requirement does not necessarily mean that a claim must either be tied to a particular machine or apparatus, or must operate to change articles or materials to a different state or thing. Example: Calculating a price of an item to sell and then conveying the calculated price to a potential customer - THE CLAIMS 1 - 13 ARE AN EFFECTIVE WAY TO CALCULATE POSITION, AND PRICE CLIENT'S POSITION, AND GIVE IT AN SCORE IN THE NETWORK TO BE MORE EFFECTIVE THAN PRIOR ART OF PRICING, BECAUSE THE ELEMENTS USED FOR SCORE THE POSITION, ARE TAKE IN CONSIDERATIONS A COMBINATION OF SCORE VALUE SYSTEM WITH AD HISTORY, TO COMPETE FOR A RELATION OF POSITION AND PRICING, IN THE CLIENT'S ACCOUNT, AND NETWORK.

P/3622 TC 3600 - GROUP ART UNIT 3622

#### Introduction to the New Patent

**Pricing is an Art, is the Key success to consolidate the Search engine Industry**  
**Our vision is create a Pricing Platform, who tailors for first time all the aspects and needs of the internet advertising, offering the most complete set of solutions for all the components that are linked to this rapidly growing market**

**The business model covers by this patent, offer a multi-dimensional pricing.**  
**This patent is structured to balance and develop this market place to a new dimension, wherein all the element of this market place will adjust by results to an optimal level of conversion rate, boosting in this way a dynamic market place by sectors, without reducing the potential earning of these media companies.**

**The architecture of the present invention provides the balance and the optimal structure that support for first time, the future value of this industry.**

The biggest clients will be priced in a different track, at a higher level, in the process search engine company will help small clients to become bigger, and the biggest clients with higher score value, will be priced at a higher level. This pricing system will balance the market place like never before using a computation of score value system, used by this patent.

How this system can interact with the partner network?

This pricing system is designed work with all search engines and marketing companies, is like a taxation model adapted to price search engine clients. Each click will have a different price, speed and a higher return on client's investment.

This model work perfect to stimulate the potential of this market place. The price of each group will grow with the ROI of each group of clients; price and return will be part of the same engine.

#### **Brief Patent Application**

The business model covered by this patent offers the highest level of adaptability to price all search engines clients.

The concept of grouping accounts in this patent, grants the client options to be priced by groups at the ultimate level of conversion rate. Each account or client will achieve a Hit History that automatically converts in a Score Value to be determined by each media. The sophisticate score value system cover by this patent, organize and segment the market place in a way where group of accounts are priced in a different way or speed, optimizing and balancing the media space.

The dynamic system of placement covered by this system allows grouping accounts, influencing the price and placement, based on their Hit History Score Value. Wherein the accounts with similar Hit History Score Value can be grouped, tracked and stored in a server database by performance, compromising a combination of score value that use at least one of these elements or the combination:

Similar hit history score value, period of time displayed score value, similar web site traffic score value, similar type of business, similar budget size score value, similar terms and keywords value, similar sell season score value, rotation groups score value, placement score value, popularity score value, account credit score value, and rotation and exchange groups score value determined by the amount of time they are exchanged with the network partners...

This patent also offers to the marketing media the options to balance their market space, arranging their clients within a group to achieve the ultimate pricing.

The position inside the groups is influenced by the price cap, by individual accounts budget size; by account's credit record or the combinations of these score values.

The new accounts without previous hit history score values, could be listed in the media space under a promotional group created by the media, until they build a hit history score value to be associated with a specific group.

With this patent's flex system, always the pricing level for each group will be influenced by the supply and demand of the market, and the media will use more of less their combination of score values to price each group.

This patent understand and balance the variety of this new media space, using for first time all the components that integrate this market place to really support a marketing intelligence that give a ultimate ROI for all the components of this new marketplace.

Here is how the components of this Patent work for search engines and marketing companies:

- **Intelligent Pricing.** Powerful and flexible price processing system on the fly, wherein accounts are grouped by our score value system. The Intelligent pricing will process the hit history score value for each group and client, to price each group to an ultimate pricing track that truly understand and support the customer marketing expectations.
- **Media ROI Optimization.** This patent delivers dynamic results interfaces that balance the Media Space like never before, as this system will give the option to charge or price their clients at different level, and collect more revenue from their clients without affecting clients ROI. The hit history score value created by this patent work similar to (taxation model or credit score model) optimizing this pricing system to the best perform level from client and media point of interest.
- **Media Space Market Segmentation.** This patent provide complete intelligent Pricing System that enables search engines clients to display their ads in the same pages, and be priced by our score value system at a different level or price. In this way search engine will provide to their users an interface that has been designed to highly optimized and maximize client's conversion rate, and media productivity.
- **FlexPricing.** The adaptability of the elements of this patent provides a complete, workflow-driven Hits History Score Value authoring, used by the media space to price their clients, based on information collected by our business model.
- **Analytics Placement.** This system allows to the media space, an analytics placement base in our hit history score value system. Values that will be used by the search engine media space to influence the price and placement of advertiser, determinate by the media space count values.

- Minimize the cost of campaign to keep a position.
- Provide the architecture to balance the market and optimize ROI.
- Provide an integration platform with a diverse set of integrated marketing solutions for small and large businesses or clients.
- The opportunity to index the information related to new client's accounts, using History Score Values. (Not limited to keywords)
- It offers the fairest possibilities of placement and pricing, to optimize clients return, based on history score values.
- Allows the use the powerful cycle hit history value, where clients are priced in a diverse manner, having the possibility to cap and adjust their budget.
- It also allows regulate pricing into their group, cycle placement, and cap placement.

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- It allows wide forms of pricing, based on a combination of history score values related to market segmentation.
- It offers a solution for congested keywords channels, a new form of ad placement, and an optimal pricing that it adjusts itself to a specific group of clients.
- This patent also provides the most complete pricing solution.

Our pricing goal is to reach advertiser's sales potential, stimulating in this direction the success of the complete marketplace, boosting the earning of search engines companies and their clients to a new level.

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